

FILED

UNITED STATES DISTRICT COURT

NOV 23 2021

for

WESTERN DISTRICT OF TEXAS

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY dy

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Roberto Reyna Case Number: DR-14-CR-1398(01)AM
Name of Sentencing Judicial Officer: Honorable Alia Moses, United States District Judge
Date of Original Sentence: September 22, 2015
Original Offense: Smuggling Goods From the United States, in violation of 18 U.S.C. § 554
Original Sentence: 57 months imprisonment followed by a 3 year term of supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: March 1, 2019
Assistant U.S. Attorney: Katherine Griffin Defense Attorney: Ronald Perry Guyer (Retained)

PREVIOUS COURT ACTION

None.

PETITIONING THE COURT

- ☒ The issuance of a warrant
☐ The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

- | <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|---|
| 1. | Standard Condition No. 11: The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer. |
| 2. | Standard Condition No. 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment. |

According to an incident report from the Uvalde, Texas, Police Department (UPD), on October 21, 2021, an officer was dispatched to the Brownstone Apartments in reference to a female requesting law enforcement assistance. The officer met with Thalia Reyna, the offender's ex-girlfriend, who requested the officer be present while she gathered her and her children's belongings from the residence. The officer spoke to the offender who agreed to allow Thalia to remove the property. Thalia requested a criminal trespass warning be issued to the offender for her residence, located at 1213 Monterrey Street, in Uvalde. The officer informed the offender that he was no longer welcomed at said location and warned that if the offender returned to the property he could be arrested for criminal trespassing. The offender stated he understood the officer's instructions.

The offender failed to notify the probation officer of this contact with law enforcement. Moreover, the offender's monthly report form submitted during the month of October 2021

indicate he was residing at 1213 Monterrey Street. However, at the time of this contact with law enforcement, the offender was residing at the Brownstone Apartments, located at 2224 E. Main Street in Uvalde. During a subsequent conversation with the probation officer on November 1, 2021, the offender admitted he had failed to notify the probation officer of his change of address, and he had been residing at a new address for the past couple of weeks.

3. **Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.**

On November 1, 2021, in the Western District of Texas, Roberto Reyna, was arrested for Criminal Trespass and Accident Involving Damage to a Vehicle Greater than or Equal to \$200.

According to an incident report from the Uvalde, Texas, Police Department, on November 1, 2021, officers were dispatched to a residence regarding a reported criminal trespass and multiple damaged vehicles parked along the roadway. Officers made contact with Thalia Reyna, who stated the offender had been previously warned not to go to the residence, and he had arrived that day without invitation. Thalia stated during a verbal argument, the offender purposely struck multiple vehicles with his vehicle as he drove away from the residence. The offender's vehicle was discovered at a family member's home, but he had already departed the location. The offender agreed to meet with officers. He informed the officers that Thalia's new boyfriend attempted to punch out his vehicle window and assault him. As the offender fled the location rapidly, he struck multiple vehicles. When questioned, the offender stated he did not notify law enforcement officers nor the victims of the incident. The officers conducted a record check which revealed a criminal trespass warning was issued to the offender for the location by the Uvalde Police Department on October 21, 2021. The offender was subsequently placed under arrest and transported to the Uvalde County Jail for processing. The offender was released on a Personal Recognizance bond on the same day.

4. **Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.**

On November 14, 2021, in the Western District of Texas, Roberto Reyna, was arrested for Accident Involving Damage to a Vehicle Greater than or Equal to \$200 and False Report to Police Officer.

According to the incident report, by UPD, on November 14, 2021, officers responded to the scene of a hit and run automobile accident. Officers made contact with the complainant, who stated the suspect fled the scene on foot into the nearby brush. Officers observed a damaged 2017 Cadillac CT6 that had struck a truck trailer belonging to the complainant. Officers ran the license plates of the Cadillac CT6 and found it was registered to the offender. The police dispatcher notified the officers that the offender had just reported the vehicle stolen from his residence at 1213 Monterrey Street where he was sleeping for the last nine hours. The dispatcher also stated that the offender's GPS call location was coming from a residence on Martinez Ranch Road, not the residence where he called that his vehicle was stolen from. Uvalde County Sheriff's Office (UCSO) deputies assisted in the search for the suspect and traveled to the residence on Martinez Ranch Road in an attempt to locate the offender. The residence was determined to belong to the offender's sister. According to report, the offender's sister informed the deputies the offender was not at her residence and provided consent to search the home. A male subject was observed laying in a bed and when questioned, the offender's sister stated the subject was her uncle "Oscar." Deputies made contact with the male and recognized him as the offender. UPD officers traveled to the offender's sisters' home and

conducted an interview with the offender. The offender stated he was not involved in the crash, and that he had been at his sister's home for hours, adding that his vehicle was stolen. The UPD officer observed what appeared to be fresh injuries to the offender's left arm consistent with a burn from an airbag. Based on the officer's investigation and observations, the officer believed there was enough probable cause that the offender was the operator of the vehicle involved in the crash. The offender was subsequently placed under arrest and transported to Uvalde County Jail for processing. The offender was released the same day on a Personal Recognisance bond.

U.S. Probation Officer Recommendation: The offender commenced his term of supervision on March 1, 2019. Despite being on supervised release, it has not deterred the offender from continuing to engage in criminal activity as demonstrated above. It is evident by the offender's noncompliance and disregard for the instructions set by the Court that he is not willing to comply with the conditions of his judgment. Therefore, it is respectfully recommended that a supervised release violation warrant be issued for the offender's arrest, and his term of supervised release be revoked.

The term of supervision should be

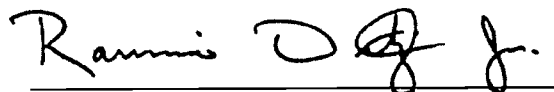
- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 supervised release)
- ☐ extended for _____ years for a total term of _____ years

Approved by:



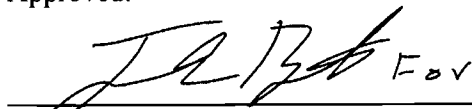
Darren P. Kohut
Supervising U.S. Probation Officer

Respectfully submitted by:



Ramiro Ortiz, Jr.
U.S. Probation Officer Assistant
Telephone: (830) 309-6173
Date: November 23, 2021

Approved:

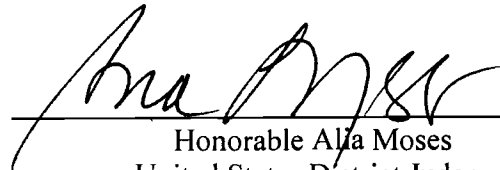


James T. Ward
Supervisory Assistant U.S. Attorney

cc: Javier Cenicerros
Assistant Deputy Chief United States Probation Officer

THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$ retain cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other _____
-



Honorable Alia Moses
United States District Judge
11/23/21

Date